

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

CITIBANK, N.A.,

Plaintiff,

-against-

CMT PROPERTIES, LLC, CREATIVE MOBILE TECHNOLOGIES, LLC, and RONALD SHERMAN,

Defendants.

Case No. 2:2022-cv-02708

**STIPULATION OF VOLUNTARY  
DISMISSAL WITHOUT  
PREJUDICE PURSUANT TO  
FRCP 41(a)(1)(A)(ii)**

**IT IS HEREBY STIPULATED AND AGREED** by and between the undersigned

counsel for the parties that the above-captioned action is voluntarily dismissed without prejudice and without costs or fees to either party pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii).

Dated: January 3, 2023

/s/ Philip S. Rosen

Philip S. Rosen, Esq.  
Daniel Park, Esq.  
ZEICHNER ELLMAN & KRAUSE LLP  
1211 Avenue of the Americas  
New York, New York 10036  
Tel: (212) 223-0400  
prosen@zeklaw.com  
dpark@zeklaw.com

/s/ Paul H. Aloe

Paul H. Aloe  
David N. Saponara  
KUDMAN TRACHTEN ALOE POSNER LLP  
800 Third Avenue, 11<sup>th</sup> Floor  
New York, New York 10022  
Tel: (212) 868-1010  
paloe@kudmanlaw.com  
dsaponara@kudmanlaw.com

*Attorney for Plaintiff*

*Attorneys for Defendant CMT Properties LLC*

/s/ Ronald J. Rosenberg

Ronald J. Rosenberg  
ROSENBERG CALICA & BIRNEY LLP  
100 Garden City Plaza, Suite 408  
Garden City, New York 11530  
Tel: (516) 747-7400  
ron@rcblaw.com

*Attorneys for Defendants Creative Mobile Technologies, LLC, and Ronald Sherman*